

# Kentucky Gazette.

Two DOLLARS AND A HALF PER ANNUM.

NEW SERIES—NO. 50.—VOL. 2.

True to his charge—he comes, the Herald of a noisy world, News from all nations, thumb'ring at his back."

LEXINGTON, KY. FRIDAY EVENING, DECEMBER 1<sup>st</sup>, 1825.

SPECIE IN ADVANCE.

VOL. XXXIX

## Kentucky Legislature.

### HOUSE OF REPRESENTATIVES.

SATURDAY Nov. 19.

Mr Blackburn from the committee of P and G reported against the petition for the addition of Caldwell to Trigg county, and in favor of the petitions of Charles Kennedy and of William Tackett, &c. As to the first, the report was laid on the table; as to the two latter, concurred in.

Mr Crittenden from the committee for Courts of Justice reported a bill providing for viewing and marking a way for a state road from Louisville to the Iron Banks.

Also a referred bill for the benefit of mechanics, stating that the committee was unanimously opposed to its passage. It was laid on the table.

Also a bill relative to Zachary Conclude, which passed.

Also a resolution that it is inexpedient to discontinue the office of Reporter for the Court of Appeals. Mr. McConnel moved to reverse the report. On motion of Mr. Crittenden, it was laid on the table.

Also that the petition of Frank Carr is reasonable, which was concurred in.

**Bills reported.** By Mr. Wilcoxon, to compel owners of land to till up, inclose or cover, pits and wells which have fallen into disuse, which passed. By Mr. Breckinridge for the benefit of the heirs of Abraham Brown, which was laid on the table. By Mr. Logan, to revive the act for the settlement of the concerns of the Farmers and Mechanics' Bank of Shelbyville—committed. By Mr. Underwood, to amend the law regulating the Shelbyville and Louisville Turnpike road company. By Mr. Owsley, to provide for copying certain record books of the Cumberland County Court. By Mr. McConnel, to punish swindling in the sale of lands. By Mr. Luckey, for the benefit of Owen Owens—committed.

**Leave to bring in bills.**—On motion of Mr. Cox, to authorize the county court of Grayson county to appoint Trustees of Millcrstow.

**Acts passed.** To repeal the law requiring clerks of courts to make out complete records for the benefit of Henry Harlow and others. For the benefit of the widow and heirs of Thomas Bincoe dec'd. To amend the law in relation to delivery bonds. To transfer the Bank Stock of the Caledonia Academy &c.

A bill to grant a quarter section of land below the Tennessee to a Mr. Owens who is poor, was a soldier in the revolutionary and Indian wars, and has 21 children, was rejected, 34 to 39.

Resolutions from the senate calling on the receiver of public moneys below the Tennessee for certain information as to the disposition made by him of moneys received, &c. were referred to the committee for courts of Justice.

A bill for the benefit of John Richey of Allen county was rejected.

On motion of Mr. Sanders, it was resolved that the committee for Courts of Justice be instructed to enquire into the expediency of changing the jurisdiction of the General Court.

### THE REPORT

Of the Committee for Courts of Justice concerning The Court of Appeals, and the detention of its papers.

The committee for courts of justice, charged, by a resolution of the House of Representatives, to ascertain what obstacles exist to impede the Court of Appeals in the regular discharge of their official duties; to examine into their nature and extent, and how and by whom created, and to report to the house the most effectual means for the removal,—beg leave to report.—That under a belief, that Messrs. John Boyle, William Owsley, and Benjamin Mills, the Judges of said court, could best inform the committee what obstacles exist to impede the court, the committee by their chairman, addressed to the judges a letter on the subject, a copy of which is herewith presented, dated the 23<sup>rd</sup> of November, 1825. To this letter, the Judges returned an answer, dated the 26<sup>th</sup> November, 1825, herewith also submitted, covering a copy of the record of said court, certified by their clerk.

Your committee summoned Jacob Swigert, the clerk of the court of appeals, to appear before them, and examine him, touching the subjects embraced by the resolution of the house. His statement is herewith submitted, dated November 26, 1825.

The committee called F. P. Blair before them for the purpose of examining him as to the situation of the papers, records and public property belonging to the court of appeals, which from previous information, they supposed were in his possession. Mr. Blair desired that the committee should propound their question in writing, which was done. The questions and answers are herewith submitted.

Your committee, would observe, that the evidence procured by them, and the documents exhibited, prove, that there are but two obstacles which impede the judges of the court of appeals in the regular discharge of their official duties; one is the withdrawing from them the papers, records and public property, pertaining to the court of appeals by F. P. Blair; the other is the want of a suitable room for the accommodation of the court. The first has been superinduced by the act of last session, entitled an act to repeal the laws organizing the court of appeals and to reorganize a court of appeals; under the provisions of which, William T. Barry, James Haggard, John Trimble, and Rezin Davidge have been commissioned as judges, and that F. P. Blair, appointed as clerk of the court of appeals under the proceedings tolerated by that act, and under powers exercised by said Barry and Co. in the assumed characters of judges of the court of appeals has obtained possession of the papers and records now in his possession, and which belong to the clerks office of the court of appeals crea-

ted by the constitution. The withholding of these papers and records from the court by said Blair, constitutes no serious obstacle in the regular administration of justice in the cause of recent occurrence, which by appeals or writs of error are brought from the inferior tribunals to the supreme court for adjudication. From the information your committee has received, it is believed that most cases of recent date, in which appeals or writs of error are prosecuted, are progressing before the court and will terminate without any obstacle to prevent, according to the usual and legitimate routine of business in the Supreme Court. The legislative tribunal acting under the aforesaid act, is not at present engaged in any attempt to do business. Its members are dispersed, and said Blair, their clerk has closed his imaginary office, and refuses to let those interested in the papers and records in his possession examine them. This new tribunal therefore, will not in future, it is believed, constitute any obstacle to the progress of business in the court of appeals, at least so far as new cases may be brought up.

It cannot be disguised that the last legislature was divided into two parties, one of which based its pretensions to public confidence on the inviolability of private rights, and strict enforcement of contracts, under the laws in force at the time the contracts were made, and by denying that the Legislature had power, under the constitution, to interfere with those rights by passing acts authorizing retrospective repeals. The other party insisted that the Legislature have at all times the power by changing the "remedial laws" to procrastinate the payment of debts, for any length of time, within the discretion of the legislative body; and this party when checked in their career by the court of Appeals, in the decision given in the case of Lapsley and Brasher, finding that they could not, in the modes prescribed in the constitution, either by address or impeachment, remove the Judges of the Court from office, and thereby prostrate all opposition to their views of policy and power, resorted to the expedient of passing the act aforesaid, to effect their purposes.

Against that act of the Legislature, so far as it purported to repeal and abolish the Court of Appeals, and erect another tribunal in its stead, the minority in both branches, solemnly protested, on the ground that it was a direct violation of the constitution, and because its direct object and tendency was to subvert the independence of the judiciary and in effect, to destroy the impartiality of the judges, by tempting them to swerve from their duty, and bend to the principles and views of those who controlled the legislative department, even at the sacrifice of those sacred rights which are secured to every citizen by the constitution of his country. In this respect the reorganizing act was more alarming in its consequences, than those repealing laws which were designed to be supported by it, and produced an appalling fear in the minds of many, that, if tolerated by the people, the day might arrive, when the poor and the weak and the humble could not appeal with confidence and hope to these judges for redress, when wronged by the rich, the powerful, the influential and aspiring.

Your committee will not enter into an argument, at this time, to prove the unconstitutionalities of the act of the last session, so far as it purports to repeal the constitutional court, and erect and establish another court in its room, and stead; nor do they perceive any thing new in the remarks of Mr. Blair, forced on the committee, when facts alone were enquired into, which deserve an answer. The issue was fairly made up before the people at the late election; the subject in all its bearings was discussed and considered by them, and they, the ultimate arbiters of all constitutional questions, involving the separate and independent existence of one of the departments of government, by which right and justice are dispensed to the people, have decided the question satisfactorily to your committee and to this house. Their decision is that the reorganizing act, to the extent aforesaid, is unconstitutional and void; and no tribunal except that of the people, has cognizance of the controversy. But in this instance, their decision has not been obeyed. Instead of yielding to it, the subject in all its bearings was discussed and considered by them, and they, the ultimate arbiters of all constitutional questions, involving the separate and independent existence of one of the departments of government, by which right and justice are dispensed to the people, have decided the question satisfactorily to your committee and to this house. Their decision is that the reorganizing act, to the extent aforesaid, is unconstitutional and void; and no tribunal except that of the people, has cognizance of the controversy. But in this instance, their decision has not been obeyed. 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contemplates any attack upon the rights and powers which he himself proclaims. But least this general definition of the authorities of the General and the State Government, should be thought insufficient or feeble, we have, in the same address, the following short but most conclusive assertion, not only of the Sovereignty of the States, but of the president's opinion, that it is *his* duty, and that of the General Government, to watch over, to respect, to protect and regard as inviolable the Rights of the State Governments. That there may be no mistake about this matter, that we may not be thought to have mistaken or not distinctly remembered the language of the President, we give his very words: they are these—“To respect the rights of the State Governments, is the inviolable duty of that of the Union.” These declarations cannot but have great weight, not only coming from the individual they did, and made at the time, and on the occasion they were, but because they were delivered, when the President, in the presence of his country and his God, was about to bind himself, “by the solemnities of a religious obligation, to the faithful performance of the duties allotted to him, in the station to which he had just been called.” We have extended this article much longer than we contemplated, but the matter grew upon us so rapidly, that we have written a column, where we had intended but a paragraph.

*Democratic Press.*

## Kentucky Legislature.

IN SENATE, Nov. 28, 1825;

LEXINGTON, Nov. 28.

Sir:

In compliance with the resolution of the Legislature, I herewith enclose, for the use of the Senate, answers to the several interrogatories propounded to the Trustees of Transylvania University, which I beg the favor of you to lay before the Senate.

The apology for not forwarding these answers earlier, was the impossibility of examining such a mass of papers and records as was necessary, and making out two copies, and recording the same, in a shorter time.

Respectfully,  
Your obedient servant,  
JOHN BRADFORD, C. T. T. U.  
The Speaker of the Senate.

REPORT.

The Committee from the Board of Trustees of Transylvania University, to whom was referred the resolution of the Honourable the Legislature of Kentucky, touching the fiscal and other concerns of that institution, passed the 10th instant, November, being fully impressed with the importance of their undertaking, and feeling the liveliest interest in whatever concerns the welfare and prosperity of the first literary institution of our State, have spared no labor in their endeavours to procure for the guardians of the public weal, the information they require from you, as far as it can be collected from documentary or other evidence to be relied upon, and beg leave to lay the result before you for confirmation.

The 1st, 2d, 7th and 15th interrogatories, have been responded to by the Treasurer of the board, and will be found in the annexed paper marked A.

The 10th, 11th, 12th, and 13th have been answered by President Holley, which answers are contained in the paper marked B.

3d interrogatory. “What property and other funds belonged to Transylvania Seminary and other funds belonging to Transylvania, Seminary and the Kentucky Academy, which was in the year 1798, a small Library, presented by the Rev. John Todd of Virginia, the value of which is unknown, Collin's survey of three thousand acres of land, near Lexington, in Fayette county; McVee's, in a survey of two thousand acres of land, now parts of Jessamine county, and three thousand acres, surveyed in the name of McKinzie, at the mouth of Harrod's Creek, in Jefferson county— all escheated lands, donations from the State of Virginia.

The two first named surveys were at an early period, leased for three lives, in small tracts of about one hundred acres each, at a low annual rent payable in grain and money. The then Trustees correctly perceiving that disposition which had been made of the property, could not, for a generation or two, subserve the benevolent and patriotic intentions of the State of Virginia, and otherwise doubting the policy of permitting their children to be without education, that their grand children might have more ample means of obtaining it, in the year 1816, made sale of the fee of the land, to the several lessees, at the best prices they could obtain. But for the sale of these and other lands, which will be noticed hereafter, the cause of literature and science in the West, would yet have slumbered, while the East were steadily advancing in knowledge, and consequent power, giving to that section of the Union, a preponderance, which without the necessary precautions may yet be sensible felt in our political relations.

The effort made by your board and their predecessors, to rear and sustain a great literary institution within the bosom of our State, should fail, much as it may be regretted, we still have the consolation of self-appropriation; blame cannot attach to the immediate guardians of the institution; they have neither spared their labour nor their resources in the enterprise; it must devolve on those who hold the means, yet deny the application of them to so noble a purpose.

The survey at the mouth of Harrod's creek was disposed of in the same way as were the other two, after being leased to Hart, Toulman and Co. and the proceeds of the three tracts were vested in the purchase of a part of the site for the University, in the erection of buildings, a small part disbursed in current expenses, and the residue in two hundred and thirty-one shares of stock in the Bank of Kentucky, which, at the time, was believed to be not only the most productive, but the safest investment of funds. It was an institution in which the State itself, in its aggregate capacity, held a deep stake and a controlling influence. Who could have doubted the security? From recent occurrences, however, over which the Trustees had no control, the institution has sustained a loss to the amount of three fifth of their active means, in the value of that stock, and but for the timely succor afforded by the Legislature, of twenty thousand dollars, Commonwealth's notes, not quite the amount of loss sustained by the depreciation of their stock, Transylvania must have terminated her useful career, and those Kentuckians having the necessary means, sent abroad to obtain an education while those less affluent, were left in a state of complete ignorance. It further appears from a report of a committee of Transylvania Seminary made to the Kentucky Academy at the time the union was proposed, that the institution had one hundred, six hundred and thirty-six pounds, and over four hundred & twenty leaving a balance of two hundred and sixteen pounds; a copy of which report we hand you with, marked C. and is all the information we have been able to collect on the subject.

4th Interrogatory. “What funds were derived by the University from the Kentucky Academy?”

We answer and say, that Transylvania University received from the Kentucky Academy, by the act of union, six thousand acres of land south of Green river, no part of which has been disposed of, and that it has cost the institution about one thousand dollars for patenting, processing, law suits, paying agents, &c. and from a late report made by your Treasurer, who was employed to go on the land, it will be seen that a great portion of it is now in possession of others, under headrights and other claims, holding adverse to the University; and it further appears from the report made by Robert Parker, Treasurer of the Kentucky Academy, dated January 1799, that there was, at that time, in his hands £364 16d in notes on sundry individuals; a copy of which report we refer, marked D, bearing the entire information we have on that subject.

It has been suggested by one of the old Trustees, that they held a note of Allen and Trimble for £100, given to Mr. Blythe, on which suite was brought and transferred to the University, with the tools of the Academy, estimated at about £200; but we have found no document to establish these facts.

5th Interrogatory. “What funds and other property belonged to the University at the time the act passed on the day of appointing a new board of Trustees, making the University a State institution?”

We reply, that from the books of the Trustees, it appears, that in the year 1816, the new board received from the old, the following property, viz: The lot and buildings thereon, on which the University stands, the new buildings enclosed, but unfinished. The old library and apparatus, the value of which, we have no means of ascertaining with any degree of precision. Notes on individuals for lands, &c. £1,048, which was expended in completing the buildings, and putting the College in full operation. Two hundred and thirty-four shares of stock in the Bank of Kentucky, estimated in specie at £23,400; ninety of which shares were sold to put the Medical College in motion, and for other purposes. Fifty shares have been sold lately for £2,500 in silver, with interest from date secured by mortgage on land and negroes, the proceeds to be applied to the payment of the debt due from the University to the Bank of the United States.

6th Interrogatory. “What donations in land and money, designating each, have been made to the institution since that period, and how have they been applied or vested?”

To this we respond, that in December 1821, the Legislature gave to the University, twenty thousand dollars, Commonwealth's Bank notes, to be paid out of the profits of the Branch of the Commonwealth's Bank located at Lexington, to be applied towards the payments of the debts then due and owing by Transylvania University, amounting to £6,737 5s 1d. Two pounds of £600 dollars of that sum was due to the Bank of the United States, in specie. The money derived from that source, has been faithfully applied to the object intended.

For a list of those debts, we refer to the paper annexed, marked E. Also a donation of five thousand dollars, to the Medical Department for the purchase of books and apparatus for that institution, which was drawn by the Dean of the Faculty, and accounted for, as will fully appear from former reports made to the Legislature. Also, about three thousand dollars from sundry citizens in the town of Lexington and a few hundred dollars from persons out of the State of Kentucky, for the use of the Medical College, which was applied as the donors had directed. Also, six thousand dollars from the town of Lexington in their corporate capacity, in the shape of a loan, for which the Trustees stand committed by mortgage on part of the Medical College Library, the fund having been furnished for, and appropriated to that object. Also, three thousand two hundred and ninety-nine dollars from the stockholders of the Farmers and Mechanic's Bank of Lexington, being the price they paid the State for their charter, which was expended in the increase of the University Library, and other expenses. Also, the tax on gates by auction in Lexington, amounting to £977 4s, which was appropriated to the increase of the Law Library, as directed by the act granting that fund. Also, a legacy of twenty thousand dollars from the estate of the late Col. James Morrison, the interest to be applied, by the direction of the donor, towards the establishment of a professorship in the University, to be denominated the Morrison Professorship, or the whole sum to be vested in a Library, at the discretion of the Trustees. The University being without a competent professor of Mathematics, or even the means of obtaining one, applied the gift to that object. The legacy yet remains in the hands of the executor, but the interest has been principally paid. There is also a legacy of the residuary of Col. James Morrison's estate, after paying the direct legatees, which is to be applied to the erection of a College edifice in Lexington, under the name of the Morrison College. The amount of this fund is unknown, and the particular application when received, not yet determined.

7th Interrogatory. “What is the state of the Refectory or boarding house, if any, with the price of board, and if the Refectory has been discontinued, the reasons for the discontinuance are requested, with information to what use the house used for a Refectory has been applied?”

For answer thereto, they reply, that the Refectory was abandoned several years since, for the most urgent reasons: 1st The want of means to sustain it; 2d the want of suitable persons to superintend it. The committee will here take occasion to remark, that the Refectory was not abandoned until after a full trial of its utility. It was first established under a superintendent with a salary; but did not answer. It was then, with its furniture, given to a family free of rent, and the price of board limited; but did not succeed. Another person was sought for and obtained, who occupied the property free from cost, and in addition, the price of board increased; this continued one session, when the tenant abandoned it. These several experiments cost the University some thousands of dollars.

That an establishment of the kind is a desirable appendage to every College, cannot be denied; but your committee are persuaded it cannot easily be sustained in this country, without an accession of funds over and above the receipts from the establishment.

After the abandonment of the Refectory, for the greater security of the College buildings and other property, and for other reasons which will more fully appear on referring to the report of a committee, made April 7th, 1823, a copy of which is hereto annexed, marked F, the Trustees were induced to give the use of the building to President Holley, for his dwelling and he now occupies it.

8th Interrogatory. “What number of students in the University at the time the act passed making a State institution?”

For answer thereto, they refer to the report of Professor Bishop, made October 1st 1817, an extract from which is annexed, marked G, from which it will be seen, that the whole number of students in all departments in the University, was 77.

10th Interrogatory. “Will the revenue of the

institution be sufficient to sustain it, with the present salaries and expenses?”

In responding to that question, the committee leave to extend their observations beyond a simple negative, and to call the attention of the board to this most interesting part of the subject. We answer, that the revenue, which is only £1200 a year and the tuition fees, independent of some uncertain contingencies of small amount, will not defray the expenses of the institution, nor do we believe it can be made to do, under any management, and retain its present character and usefulness.

From the expression used in the interrogatory, “with the present salaries,” it would seem to imply, that a reduction of salaries would meet the object. To that supposition, we reply, that Transylvania University is not already, by indirect means, reduced the salaries of its officers, beneath those of any other institution of equal eminence in the United States, as will be hereafter shown. To that extent more, would lose their services. Should that happen, we know from actual experience, that professors whose attainments are such as to render them useful, are difficult to obtain at high salaries. When the vacancy occurred in the Mathematics chair, by the resignation of its late professor, the Trustees and the President, with the aid of Mr. Clay, (who was at Washington at a part of the time where he saw gentlemen from every part of the Union,) sought a full year for a professor in that department, at a salary of £1,200 a year, before they could obtain one, which was the only offer the Board had.

The University was once in the same situation in regard to a President. Diligent search was made for years without success, for a suitable officer to fill that chair, at £2,600; and the Board were at length constrained to promise £3,000 to the present incumbent, or permit the institution to languish, as it had done. And still more recently have we a lesson on that subject, in the vacancy that occurred in the Medical department, where the emoluments are very great, and much beyond that of any other branch of the University.

An institution of learning is useful in proportion to the abilities of its teachers; its fame and success exactly equal to their standing in the literary and scientific world and their price the highest their services will command.

The first proposition, that the usefulness of an institution is in proportion to the abilities of its teachers, is self-evident, and needs no comment.

The second, that its fame and success are exactly equal to the standing of the professors in the literary and scientific world, is fully evidenced by the rise and rapid progress of the Medical department of Transylvania, and some other Universities of the United States.

The third, that the price of teachers is the highest that their services will command, is as true as that the farmer will obtain for his labor the highest reward, or the merchant for his goods the greatest profit.

If professors of great literary acquirements and reputation could be obtained for such price as the trustees fix upon their services, then indeed could an establishment for liberal education be sustained by its internal resources, or could the price of instruction be increased at pleasure, and students obtained, it might be done. The object cannot be effected either by the one or the other means.

We have remarked, that salaries of the officers in the University of Transylvania (we mean in the College proper) are beneath those of any other institution of equal eminence in the United States. In support of this assertion, we beg leave to detail you, until we enumerate a few of the most striking instances. Beginning with Harvard University, the President of that institution receives between three and four thousand dollars a year for his superintendence, without giving any instruction. President Nassau, of Union College, receives nearly the same salary. At Columbia College, N. York, the President receives four thousand six hundred dollars a year, as we are informed, in pay and emoluments; one Professor, £3,000 a year and a home, two others, a home, and £2,500 a year; another, £1,600 and a home; another, £1,500 without a home, and, until lately, a superannuated Professor (retired from service,) on an annuity of £1,800 a year for life. Such is the estimation in which they hold men who have devoted their lives to the instruction of youth. Pennsylvania University pays her President £1,200 a year, and one third the tuition fees, and furnishes a house. Virginia University employs Professors altogether, at a salary of £1,000 each a year, and all the tuition fees. The College in Tennessee pays her President £2,000 a year, and each of her Professors either 14 or 15 hundred dollars.

With these facts before us, can we hope to sustain the institution with its present revenue? Can Kentucky expect to command the services of literary men, at a less price than her sister States? If so, the expectation is unreasonable, and will not be realized.

17th Interrogatory. “The price of tuition in the several departments of the University?”

For answer to that inquiry, we reply, that in the College proper, £100 dollars in specie per session, or the equivalent in Commonwealth's paper, in the preparatory department, it is forty dollars in Commonwealth's notes, or the equivalent in specie, in the Medical department, twenty dollars in specie, in the Law department, to each professor, and an additional charge by the Professor, of surgery and anatomy, of £5 in Commonwealth's notes, to cover necessary incidental expenses peculiar to that professorship.

For any further information relating to the fiscal concerns of the institution, we refer to the annual report of the Treasurer of the Board, hereto attached, marked H, and to a resolution of the Board passed 10th of August 1824, marked I.

All of which respectively submitted,

(Signed) ELISHA L. WINTER, THOMAS RODLEY, JOHN TILFORD, Committee.

(A)

The Treasurer of Transylvania University will please to respond to the following inquiries:

1st—The amount of funds belonging to the Transylvania University at this time, inclusive of the lot of ground and improvements on which it is located and how are the funds vested?

2d—What is the annual revenue of the institution and from what sources derived, designating the amount of each?

3d—What property and other funds belong, at this time, to the University, and how vested? (Answered in answers to 1st and 2d.)

4th—What is the amount of debts owing by the institution and to whom?

COMMITTEE OF T. T. U.

To the first inquiry, the Treasurer begs leave to

state, that the real estate and other property and funds belonging to Transylvania University, (so far as come under his notice) are as follows, viz:

The College lot and buildings.

Three small escheated lots in Lexington. Two of them are unproductive, the other produces an annual rent of twenty four dollars only.

Six thousand acres of land in Caldwell and Livingston counties, unproductive.

Ninety-three shares of stock in the Bank of Kentucky, on which three distributions of ten percent, each have been drawn.

John Smith's note for £500 dollars, on interest.

£100 due from the Office of Discount and Deposit of the Bank of the United States at Lexington, being

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£10





## Lexington Brewery.

THE subscribers having rented the above establishment for a term of years, will be ready in a few days to supply this Town and the neighboring Towns with

### Porter, Beer and Ale,

of superior quality and at reduced prices; orders from the country directed to the BREWERY through the Post-office will be attended to.

#### CASH paid for Barley on Delivery

—ALSO—

#### Fifty cords of good wood wanted

MONTMOLIN & DONOHOO.

October 20, 1825—42-1f.

N. B. All letters must be post paid:

## LEXINGTON HOPE FOUNDRY.

### Will. W. Delyo

HAS commenced the above business in all its branches, opposite the upper end of the Upper Market, where he is ready to make all kinds of

### Brass & Iron Castings

On the shortest notice, and on the most reasonable terms.

CASH will be given for OLD COPPER, BRASS, PEWTER, and IRON.

Lexington, Oct 14, 1825.—41-1y

### TO THE PUBLIC.

SOME few days ago a person brought to the Subscriber a number of his change tickets to receive Commonwealth paper, in the package there was a certain number of Tickets Counterfeited, although they had the same stamp as the genuine but the signature is very badly imitated and easily detected, those I refused to pay but gave the person the Commonwealth paper for the genuine ones and returned to him the Counterfeits.

Those same persons, though they know the said tickets were counterfeited, have still thrown them again into circulation spreading the report that I did not redeem my tickets any longer and that before long, I would fail; it is not certain for the sum of 120 Dollars which is the whole amount that I have now in circulation that I would be guilty of so mean an action;

And in order to convince the public of the wickedness of those persons, I promise a reward of \$10, to any one who will produce the author of such a calumny.

JOHN DEVERIN,

October 25, 1825—43-1f

### State of Kentucky,

Madison Circuit Set. September Term, 1825. Green Clay Complainant, } against Samuel Estil & others Defts. } In Chancery.

On the motion of the Complainant, and it appearing to the satisfaction of the court that the Defendants George Tolston and Ann his wife, James Brown, John Blanchard and Charles Lee, Richard Henry Lee, Arthur Lee, James Acklin and Melvared his wife, Edmund P. Lee, Baldwin M. Lee, Christopher Acklin and Sarah (his wife, Abner Lactord, Cal and Anna his wife, William L. Grills and Elizabeth his wife, Alexander Acklin and Mary Ann his wife and John Lee, are no inhabitants of this Commonwealth, and they having failed to appear before the court, it is ordered that unless said absent defendants do appear before the court, in the first day of February next, and file their answer herein to the Complainants Bill and amended Bills, that the same shall be taken for confessed against them; and it is further ordered, that a copy of this order be inserted in some authorized newspaper printed in this State, for two months successively. And the cause is continued until the next court.

### A Copy Test.

DAVID IRVINE, Ck. M. C. O., Sept. 19, 1825—45-9w

### KENTUCKY.

Madison Circuit Set. September Term 1825. Green Clay Complainant } Against Lawrence Long & heirs & c. Defts. } In Chancery.

On the motion of the complainant, affidavit being filed by said Complainant to the unknown heirs of John Long deceased, and it appearing to the satisfaction of the court that the defendants J. Long, Richard Caulk and Sally his wife late Sally Long Lyall Bacon and Nancy his wife late Nancy Long, Gabriel Long William Long, Nicholas Long and the unknown heirs of John Long deceased, heirs and devisees of Lawrence Long dec. are no inhabitants of this Commonwealth, and they having failed to enter their appearance herein agreeably to law and the rules of the court.

It is ordered that unless said absent defendants do appear here on or before the first day of our next February Chancery Term and file their answer to the complainants Bill, that the same will be taken for confessed against them, and it is further ordered, that a copy of this order be inserted in some authorized newspaper printed in this state for two months successively. And the cause is continued until the next court.

### A Copy Test.

DAVID IRVINE Ck. M. C. O., Sept. 19, 1825—45-9w

### State of Kentucky,

Payette Circuit Court—September Term 1825. Louis Moore Compt. } against Thomas Moore Deft. } In Chancery.

This day came the Complainant by her Counsel and it appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this Commonwealth, and he having failed to enter his appearance agreeably to law and the rules of this Court. On the motion of the Complainant, it is ordered that unless the said Defendant do appear here on or before the first day of the next February Term of this Court, and answer the Complainants Bill (which prays for a divorce) the same will be taken as confessed against him; and it is further ordered that a copy of this order be inserted in some authorized public News Paper published in this Commonwealth for two months successively according to law.

### A Copy Test.

A. GARRETT. d. e. f. c. Oct. 14th 1825 41 9w\*

### NEW GROCERY STORE.

### JAMES F. BRADLEY,

RECENTLY informs the citizens of the

Cross-Plains and the country adjacent thereto, that he has opened a New Grocery Store in the

house lately occupied by Mr. William Nicholas as a

store; he will keep a constant supply of GROCERIES, TIN-WARE, and QUEEN-SWIRE which

will be sold as low as they can be had in Lexington.

He will barter for Hogs' Lard, Feathers, or

Beeveswax.

Cross-Plains, October 27th 1825—44-1f.

### Printing and Wrapping Paper.

FOR SALE at this Office, a quantity of Super

Royal Printing Paper of good quality; also

Linen Wrapping Paper.

Nov 4, 1825—44-1f.

### LAW NOTICE.

JAMES SHANNON, Late of Wheeling, Pa.

WILL practice law in the Circuit and County Courts

of Fayette, and the Circuit Courts of Monongahela and Jefferson. All business entrusted to him will receive prompt attention. His office is on Short Street

Lex. Dec. 29, 1825.—25-1f.

### Drug Store of James Graves,

Lexington, Ky.

Each bottle contains 45 doses; Price One Dollar single; nine Dollars per dozen.

May 23d 1825—1 year.

### NOTICE.

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Lex. Dec. 29, 1825.—25-1f.

## A CARD.

### Abram S. & Elijah W. Bral.e.

#### T A I L O R S.

WOULD inform their friends and the public generally, that they have associated themselves together in business, and have made a permanent arrangement with one of the most fashionable and celebrated Shops in Philadelphia, to furnish them with every change of fashion, immediately on their arrival from London. They pledge themselves, with confidence, to all who may please to frequent them with their orders, that their work shall be executed in the most neat and tasty style.

They have on hand for Sale a few pieces of

#### CLOTH & CASSIMERE,

low for Cash, and also a few sets of SPRINGS

for gentlemen's rating Pavilions, &c. Their Shop

is kept in Main Street, a few doors below Mrs.

Keen's Inn. Ladies and Gentlemen please call and

see us.

#### ELIJAH H. DRAKE,

Has just returned from Philadelphia and New York, where he has spent upwards of twelve months in the best shops in those Cities, for the express purpose of obtaining a perfect knowledge of the most modern and improved modes of Clothing, and Making all kinds of garments for gentlemen in the most elegant and fashionable style.

He has brought with him from Mr. Watson's Shop,

Philadelphia, a new Suit, made in the most splen-

did and fashionable style.

Lexington, July 22, 1825—29-6m

#### LEXINGTON

HOPE FOUNDRY.

### Will. W. Delyo

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Nov 4, 1825—44-1f.

### MARVIN VIRGIN

R E S P E C T U L Y ,

October 20, 1825—42-1f.

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